

SUPPORT FOR THE AMENDMENT

This Amendment amends the specification to correct a typographical error; cancels Claim 4; amends Claims 2-3; and adds new Claims 5-7. Support for the amendments is found in the specification and claims as originally filed. In particular, support for "bainite" is found in the specification at least at page 2, line 13. Support for Claim 2 is found in the specification at least at page 33, Table 2, specimen numbers 2 and 17 (i.e., $C\gamma_R = 1.15\%$). Claim 3 is rewritten in independent form. Support for new Claim 5 is found in the specification at least at page 30, line 6. Support for new Claim 6 is found in the specification at least at page 30, line 8. Support for new Claim 7 is found at least in Claim 1. No new matter will be introduced by entry of these amendments.

Upon entry of these amendments, Claims 1-3 and 5-7 will be pending in this application. Claims 1, 2 and 3 are independent.

REQUEST FOR RECONSIDERATION

Applicants respectfully request entry of the foregoing and reexamination and reconsideration of the application, as amended, in light of the remarks that follow.

Applicants thank the Examiner for the courtesies extended to the representative during the June 7, 2005, personal interview.

As discussed at personal interview, conventional residual austenite (γ_R) steel sheet has excellent workability but needs improved ductility. Specification at page 2, lines 6-7, 20-24. Conventional residual austenite steel sheet designed to improve ductility has an **average C content in the residual austenite ($C\gamma_R$) of about 1.2 to 1.3%**. Specification at page 11, lines 2-5. In this conventional steel sheet, non-uniform γ_R is formed in large quantities in the grain boundaries **around** ferrite particles. Specification at page 11, lines 5-8.

In contrast to the conventional steel sheet, the present invention provides a high strength steel sheet having a good balance between strength and ductility (esp. local elongation), and a low yield ratio by a process that increases the area fraction of γ_R *within* the ferrite particles and/or **decreases the C γ_R** relative to the prior art. Specification at page 3, lines 10-14; page 4, lines 6-9, 19-20.

Claims 1-2 are rejected under 35 U.S.C. § 103(a) over Japanese Patents 411323490; 406065677; and 404337026. These references disclose steels containing C and retained austenite.

However, the cited prior art is silent about the location in the steel sheet of the residual austenite relative to ferrite. Thus, the cited prior art fails to suggest the independent Claim 1 limitation that "the ratio (SF γ_R / Vt γ_R) of the area fraction (SF γ_R) of said residual austenite within the ferrite particle to Vt γ_R is 0.65 or more when the area fraction is measured by FE-SEM/EBSP".

The cited prior art is also silent about the C content in the residual austenite. Thus, the cited prior art fails to suggest the independent Claim 2 limitation that "the average C content of said residual austenite is 0.95 to 1.15 % by mass".

Because the cited prior art fails to suggest all the limitations of independent Claims 1 and 2, the rejection under 35 U.S.C. § 103(a) should be withdrawn.

New Claim 7 is further patentably distinguishable over the cited prior art, because the cited prior art fails to suggest the limitation that "the residual austenite having the average C content of 0.95 to 1.15 % by mass is *within* each ferrite particle".

Claims 3 and 4 are rejected under 35 U.S.C. § 112, second paragraph. To obviate the rejection, Claim 4 is canceled and Claim 3 is rewritten as independent Claim 3 and new Claims 5-6.

Applicants thank the Examiner for the indication that Claims 3 and 4 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. § 112, second paragraph, set forth in the Office Action. Office Action at page 4, section 11.

The disclosure is objected to. To obviate the objection, "baintenite" is replaced with --bainite--.

Applicants respectfully request that the Examiner acknowledge consideration of the references cited in the Information Disclosure Statements filed October 9, 2003 and December 17, 2003, by initialing the associated Forms PTO-1449. For the Examiner's convenience, a copy of each Form PTO-1449 and date-stamped filing receipt are attached.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance. Applicants respectfully request favorable consideration and prompt allowance of the application.

Should the Examiner believe that anything further is necessary in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,

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Attached:

Form PTO-1449 filed October 9, 2003, and date-stamped filing receipt
Form PTO-1449 filed December 17, 2003, and date-stamped filing receipt

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